

*Cote, J*UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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JEFFREY S. VAUGHN, individually and on behalf of
those class members similarly situated,

Index No. 04 Civ. 8391 (DLC)

Plaintiffs,

-against-

LEEDS, MORELLI & BROWN, P.C., LEEDS, MORELLI & BROWN, L.L.P., LEEDS & MORELLI, LEEDS, MORELLI & BROWN, PRUDENTIAL SECURITIES, INC., PRUDENTIAL FINANCIAL, INC., LENARD LEEDS, STEVEN A. MORELLI, JEFFREY K. BROWN, and JOHN DOES, JAMES VAGNINI, FREDERIC DAVID OSTROVE, ROBERT JOHN VALLI, JR., DISCRIMINATION ON WALL STREET, INC. and DISCRIMINATION ON WALL STREET MANHATTAN, INC. and JOHN DOES, ESQS. 1-10 and JANE DOES, ESQS. 1-10 a fictitious designation for presently and unknown licensed attorneys, professionals and/or unknown persons or entities,

ORDER TO SHOW CAUSE
TO ENFORCE THE
COURT'S PRIOR ORDERS
COMPELLING
ARBITRATION

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #: _____
DATE FILED: <u>9/5/06</u>

Defendants.

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Upon the annexed Declaration of Shari Claire Lewis and the exhibits attached thereto, and the accompanying Memorandum of Law, as well as all other pleadings and prior proceedings in this action, it is hereby:

ORDERED that Plaintiff or his attorneys show cause at a hearing to be held in this Court before the Honorable Denise L. Cote, United States District Judge, in Courtroom _____ of the United States Courthouse, New York, New York, on _____, 2006, at _____ M, or as soon thereafter as counsel may be heard, why an order should not be entered enforcing this Court's August 12, 2005 and December 27, 2005 Orders (the "prior Orders"), compelling Plaintiff Jeffrey S. Vaughn ("Plaintiff") to arbitrate the claims set forth in his

Amended Complaint, filed March 15, 2005, against Defendants Leeds, Morelli & Brown, P.C. (incorrectly sued herein as Leeds, Morelli & Brown, LLP, Leeds & Morelli, and Leeds, Morelli & Brown), Lenard Leeds, Steven A. Morelli, Jeffrey K. Brown, James Vagnini, Frederic David Ostrove, and Robert John Valli, Jr. in the abovementioned matter (collectively "LM&B"), and finding that this Court's prior Orders represent the law of the case that Plaintiff may not relitigate here or elsewhere; and

IT IS FURTHER ORDERED that LM&B shall serve by hand delivery upon Plaintiff's counsel a copy of this Order To Show Cause and the papers upon which it is based no later than __:__ M on , 2006; that Plaintiff shall serve by hand delivery upon LM&B's counsel any opposition to the above motion no later than __:__ M on , 2006, and that LM&B shall serve by hand delivery upon Plaintiff's counsel and reply in support of the above motion no later than __:__ M on , 2006.

DATED: New York, New York

ISSUED: _____

U.S.D.J.

J
After hearing from counsel at a conference held
on the record on September 5, 2006, this
application is denied without prejudice
to the parties' rights to bring all claims
and defenses before this Court when they
are ripe for review. *Yannis Gk*

September 5, 2006